

## ***MILWAUKEE COUNTY EMPLOYEE FMLA REQUEST PROCEDURE***

In an effort to assist Milwaukee County employees requesting leave under the Family and Medical Leave Act (FMLA), please follow this procedure. By using this procedure the County and its employees can properly adhere to all federal and state laws. It should be noted that while this document is intended as a guide through the request process, employees should make themselves aware of their full rights and responsibilities under the FMLA laws as described in the **Milwaukee County FMLA Policy** at <http://www.county.milwaukee.gov/Policies15706.htm>. If there are specific questions that the policy does not answer, please contact your leave coordinator.

### **Eligibility Checklist**

All of the following employment requirements must be met in order for an employee to be eligible to apply for an FMLA leave of absence:

- ☐ You must have worked for the County for no less than 12 months.
- ☐ You must have worked no less than 1,250 hours during the 12-month period immediately preceding the leave request.
  - Under the state law, you must have no less than 1,000 hours paid within the past 12-month period immediately preceding the leave request.
- ☐ You must not have exhausted your entire FMLA entitlement for the current calendar year.

If all employment requirements are met and your request is based on one of the following circumstances, you may be eligible for a leave of absence under the FMLA:

- ☐ The birth of, or to care for, your newborn child.
- ☐ The placement of a child with the employee for adoption or foster care.
- ☐ To care for your spouse, child, or parent who has a serious health condition.
- ☐ Your own serious health condition that prohibits you from performing the functions of your position.

### **Instructions on How to Request a Leave of Absence**

**NOTE:** Failure to follow these instructions will result in a delay or denial of leave under the FMLA.

If you feel that all of the eligibility requirements have been met and that you are entitled to a leave under the FMLA, please complete the following steps:

1. Submit a request (notification of intent) to the leave coordinator via email, phone, or in person at your Human Resources department.

**NOTE:** See the end of the document for a list of the leave coordinators by department.

  - You will need to provide basic information about the leave, including:
    - when the leave is needed,
    - how long you will need to be off, and
    - the nature of the relationship between you and the person with the serious health condition.
      - This will allow the coordinator to determine which forms are needed for your situation.
  - After receiving the notification of intent, the leave coordinator will provide you with the initial eligibility notification letter along with all required forms.
  - The designation notification letter will be provided to you and your manager once the approval status has been determined.
2. You must submit the leave request form to your leave coordinator at least 30 days, and no more than 45 days, before the requested leave will begin. In the case of unforeseeable circumstances requiring you to begin a leave with less than 30-day notice, you should contact your leave coordinator within 48 hours of when the need for a leave becomes known.
  - If you do not submit a timely request, the leave approval may be delayed until all required information is received and reviewed.

3. You must submit the medical certification form, completed by the attending health care provider, or legal documentation supporting the placement of the child within 15 calendar days from the date of the notification of intent.
  - It is the employee's responsibility to verify that the leave coordinator has received the documentation by the required date.
  - You may be required to furnish re-certification relating to a serious health condition upon request from the County at your or your family member's expense.
  - If you do not submit a timely certification, your leave will not be designated as FMLA and you may be subject to corrective/disciplinary action up to and including discharge as a result of your absence.
4. You are required to provide periodic updates of your status and intent to return to work to the leave coordinator no less often than every month or upon request from Human Resources.
  - If you are taking leave intermittently, you are required to provide periodic updates of your intent to return to a regular schedule no less often than every three months or upon request from Human Resources.
5. If you are taking a leave for your own serious health condition, you must submit the return to work release form, completed by your healthcare provider, to the leave coordinator no later than five days prior to returning to work.
  - Failure to do so will result in the delay of your return to work and possibly an unauthorized absence, which may subject you to corrective action.
  - If you return to work before the expiration of your 12 workweeks of federal FMLA leave, you will be returned to the same, or an equivalent, position.
6. If the circumstances of your leave change and you are able to return to work, or if leave is taken intermittently and you are able to return to your regular schedule, earlier than the date indicated on the leave request form, you are required to notify the leave coordinator as soon as the return to work date is known.
  - In general, if you fail or are unwilling to return from leave on your specified return date without contacting the County, you will be considered to have resigned in absentia (Civil Service Rule VIII (6)(2).
7. If applying for an intermittent leave, you are responsible for notifying the leave coordinator **within two business days** from the date that the time has been taken, or as soon as you know that time will need to be taken, that is covered by the approved leave.
  - The intermittent leave notification form is a supplement that can be used to notify the coordinator.
  - Other acceptable forms of notification include email, voicemail, or in person.
  - If you do not submit a timely notice, your leave will not be designated as FMLA and you could be subject to corrective action up to and including discharge for your absence.

**NOTE:** If you fail to communicate with the County at any time during your leave, you will forfeit your FMLA-protected status.

### **Leave Coordinators By Department**

**Aging** – Mary Dutkiewicz (414) 289-6271  
**CSE** – Thea Flasch (414) 278-5310  
**DHHS** – Vernice Strapp-Pitts (414) 289-5838  
**Sheriff** – Marlo Knox (414) 278-4787  
**Zoo** – Janet Kosciński (414) 256-5405

**BHD** – Amy Lawrenz (414) 257-7491  
**Clerk of Courts** – Jertha Ramos-Colon (414) 278-4354  
**HOC** – Araceli Garcia (414) 427-4753  
**TPW** – Anthony Geiger (414) 278-4661  
**All Other Depts.** – Rebecca Parker (414) 257-7336